

STEPHEN SHIPP, )  
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)  
Petitioner, )  
)  
)  
v. ) No. 4:07CV00735 ERW  
)  
)  
LARRY ROWLEY, )  
)  
)  
Respondent. )

This matter is before the Court upon its own motion. On May 2, 2007, the Court ordered petitioner to show cause why the petition should not be dismissed for failure to exhaust state remedies. Petitioner has failed to timely respond to the Court's Order, and this case shall be dismissed pursuant to Fed. R. Civ. P. 41(b). The dismissal is without prejudice.

**IT IS HEREBY ORDERED** that Shipp's petition is **DISMISSED** without prejudice.

E. Richard Wehren

E. RICHARD WEBBER  
UNITED STATES DISTRICT JUDGE